7th August 1929]

(ii) (*a*) & (*b*) The Government have been advised by their legal advisers that properties attached to Roman Catholic churches in India are vested in the Pope. Assignments of lands made in favour of Roman Catholic churches in India are in effect, therefore, assignments made in favour of the Pope. The Government consider that whether the Pope is regarded as the owner or as the supreme administrator of the lands assigned, there would be no justification for any change in the rule which requiries the sanction of Government for the assignment of lands to Roman Catholic Missions, and that therefore it is unnecessary to take legal opinion on the point raised by the hon. Member.

Land Revenue

Assignment of certain lands in Kirimanjeshwar village.

* 72 Q.—Mr. K. R. Karant: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether in the village of Kirimanjeshwar in the Coondapoor taluk of South Kanara any rule is in force to the effect that no land within two chains from the high water mark of the sea should be assigned;

(*b*) how long this rule has been in force;

(*c*) whether in virtue of this rule portions of warg lands wrongly left out at the last survey are being treated as encroachments by the Revenue Department and ordered to be removed; and

(*d*) what steps Government propose to take to see that in the case of such mistakes in survey the ryots are not unnecessarily harassed?

A.—(*a*), (*b*), (*c*) & (*d*) The Government are not aware of the existence of uch a rule. A report has been called for.

Levy of subdivision fees for separating joint pattas in South Kanara.

* 73 Q.—Mr. K. R. Karant: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether in the case of separating joint pattas a subdivision fee of Rs. 2 is levied from each party concerned; and

(*b*) whether the fee being exorbitant, there are a large number of joint pattas in South Kanara the parties being unwilling to pay the fee?

A.—(*a*) The total amount collected altogether from all the parties concerned is Rs. 2 for each newly formed subdivision, calculated according to the following formula :—

"If a field is divided into a certain number of subdivisions, this number minus one will represent the number of *newly formed subdivisions.* Fees should be collected at Rs. 2 for each new subdivision in which the applicant is interested provided that when the applicants are interested in all the subdivisions formed, any one subdivision may be treated as not new."

(*b*) From such figures as the Government possess it does not appear that the fact is as suggested by the hon. Member.

[7th August 1929

Mr. K. R. Karant.—"With reference to clause (*b*), may I ask the hon. the Revenue Member to call for a report?"

The hon. Mr. A. Y. G. Campbell:—"I think, Sir, it would be very difficult to get a report on this point as we have no means of knowing in what cases ryots have refrained from applying for the division of joint pattas owing to the fact that they may be called on to pay certain fees."

Levy of fees for subdivision of assessed lands in South Kanara.

*74 Q.—Mr. J. A. Saldanha: Will the hon. the Member for Revenue be pleased to state—

(*a*) what are the fees paid for subdivision of assessed lands in South Kanara;

(*b*) under what law, by whom and for what purposes are such fees levied;

(*c*) to whom these fees are credited and how they are distributed;

(*d*) from what year these subdivision fees are levied and what is the annual income for the past five years in the district of South Kanara therefrom; and

(*e*) whether Government contemplate any relief to ryots, especially Christian ryots, in South Kanara?

A.—(*a*) Two rupees per subdivision.

(*b*) The Survey and Settlement Retrenchment Committee composed of officials and members of the Legislative Council, which met on 18th August 1922, recommended that subdivisions made at the request of ryots after survey or between surveys might be charged to the ryot. It was in accordance with this recommendation that the levy of subdivision fees was sanctioned by the Government, in consultation with the Board of Revenue. The purposes for which the fee is levied are described in the answer to clauses (*d*) and (*e*).

(*c*) The fees collected are credited in the accounts under 'XXXV. Miscellaneous—Recoveries of service payments.' Half the fee levied is given to the karnam provided that the Revenue Inspector certifies to the correctness of the karnam's work after checkmeasuring the subdivision.

(*d*) The scheme for the levy of fees for making subdivisions was introduced early in 1924. Information about the amount of fees realized annually in the South Kanara district as far as available is given below:—

	RS.
Calendar year 1924	10,863
Do. 1925	15,010
Do. 1926	10,988
Official year 1926–27	8,835
Do. 1927–28.	10,305

(*e*) The Government have called for a report on the system; the report is due from the Board of Revenue next year and on its receipt the results of its working will be considered.